9) Tush (the breast).

10) Muyun (the neck).

11) Ichay karyn (the intestines) are given to children and women, who usually get nothing of the best pieces.

Seniority is not ranked by direct line, i. e., the brother of someone, older or younger, has precedence (ulkun yol) over the son of the same person. Uncles are met with greater honor than nephews. (1)

1. The Khan is succeeded by his brothers, then his sons, then the sons of the brothers.

Before old men (aksakals), i. e., elders, mullahs and influential persons, even of strange clans, they sit properly, do not contradict, and fulfill requests. It is customary to exact an apology and a fine for reviling them or scuffling with them.

If a low person should chance to sit between high ones, he can be ousted or allowed to remain, in view of whether he and his father are good persons or not.

If a high person unjustly abuses an inferior, then a bii may say [683] to him: "Look here. If you do that again, not he but you will be fined."

When a high person beats an inferior, he is not punished for three blows, inclusively. And if the inferior responds with a blow during one of the first three blows, then he must pay a fine. /11/ Envoys are not [648] abused and not killed, according to the proverb: il'chige ulum kharam, death is forbidden to an envoy.

Inferiors, for example, young women, do not walk in front of elders, but go around behind them. If they pass in front of them by necessity, walking or riding, they show them honor (tazim) by greeting them or by some other sign of respect. If a woman bars a road to men, they stop her and force her to ride across behind them (the Perovsk uyezd).

The Tiuri are greeted after the usual salaam by the additional word aldiiar. (1) Of proud Tiuri it is said: it is a bad Tiur who prides

1. Apparently instead of "alla iar", they say "May God be a protector."

imself on an aldiiar (aldiiarga mas bulgan yaman tiure).

To ride up to a person or to a tent at a gallop is considered ameworthy. Such a person is asked reproachfully: "What happened?

601

Husband's older and younger brother's wife - abysin.
Husband's father - ata, kainata.
Husband's mother - ana, kainana.
Wife's father - ata, kainata.
Wife's father's father - ulu ata.
Wife's mother - ene, kain ene.
Wife's father's mother - ulu ene.
Wife's father's older brother - ulkun ata.
/33/ Wife's father's older brother's wife - ene.
Wife's father's older or younger brother's son - kain.
Wife's father's older or younger brother's daughter - yenge.
Wife's father's younger brother - kainaga.
Wife's father's younger brother's wife - yenge.
Wife's father's elder relative - kainaga, ulkun ui.
Wife's father's younger relative - kain, otau.

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593

The disobedience of children is punished by the domestic corrective measures of the parents. A son is punished by his father, a daughter by her mother, for the father rears the son, and the mother the daughter. The proverb "the son goes before the father, like a slave before a master" and others entered in Makovetskii, p. 28, Pt. 1, were found by E. A. Aleksandrov in the Kazalinsk uyezd.

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During the reign of the patriarchal clan principle, litigation between children and parents could not even be mentioned. Bodily punishment and humiliation before the people is customary for blows and offenses against the parents by the children.

For an offense against the father (a false denunciation, etc.) the son who has been given his allotment pays from one horse to one camel, and among the Kirgiz, an atton, i. e., a horse and a long coat. He is obliged to slaughter the animal and beg forgiveness on his knees. They admonish him, saying: "Who is greater: you or the people?" (yurt kup pe, sen kup pe.). And finally the elders and aksakals beat him without counting the strokes until he repents. In similar situation a daughter who has received her allotment is not bjected to bodily punishment. The penalty for her is paid by her sband. Among the Kirgiz, her mother beats her.

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For stealing from parents, children who have received their lotments are not accountable at all up to three times, for it is nsidered only a secret taking away (yasyryb algan). Only the

684 cannot get off with a declaration that the wife was yielded to him for money, etc., and he pays a fine. For abducting a wife without her consent the lover is beaten and required to pay from one to three toguz (tyuya bastagan toguz, at bastagan toguz, siir bastagan toguz). If the wife was abducted with her consent, they beat the lover and the wife, and in addition the lover pays from one to three toguz.

•683 562 [591] /88/ If a husband publicly raises a knife, ax or saber against his wife, or wounds her with such weapons, an atton is awarded to the wife's relatives who make a complaint. A third case of such a complaint causes a divorce.

For threatening to kill the wife, her relatives do not take her away with them, but only threaten the husband saying: "If you kill' her, then you will get it soundly" (uiirseng tubinde kurersen).

If a wife thrashes her husband, the husband or the husband's brother strips her naked, ties her and whips her. If she complained to the bii, he would sentence her to the same.

For mutilation, breaking an arm, blinding the eyes, etc., a husband pays less than the usual fine for these injuries. In demanding a fine, the wife's relatives express themselves thus: "You have mutilated our sister, and lowered her value" (aibdi kyldyng, karyndasymyzdy kem kyldyng, bakhasyn kettirding). For giving the wife a light wound on the head, or for a scar (bas yarylsa, tamga tusse), etc. there is no complaint.

When they find out about the husband's beating his wife, her relatives (turkun) appear before him with the words: "Surely she has been convicted of stealing or infidelity? (koiynan urlyk shykty ma, koynynan uinas shykty ma?); If you are dissatisfied with her a second time, give her to us (ekinchi yaman kurseng bizge ber); If you are not pleased with her, we are pleased with her (sen yaman kurseng de, biz yaman kurmeymiz). If she has fallen into error prove it to us through witnesses and cut off her head, and we will cut off her legs" (aybi bulsa, guva menen muynyna koy, basyn kis, biz ayagyn kiseyik). The husband answers: "I can beat her as much as I like, and if I beat her to death, I will pay wergeld." The relatives do not take the wife away, but they advise her to run away to them, which she later does. Then the husband, repenting of his anger and shamed by the people (yurt), goes after her, and promises by oath (kasam beredi) not to beat her or scold her. Her relatives agree to this with the words: "To return the wife the first time is the custom of the people (yurttyng resmi). But if you beat her again,

we will not give her up to you." The second time /89/ they really do not give her up. The husband already does not go for her, but sends a third person to settle the account, i.e., to receive 3-4 kara.

If the disharmony with the husband which took place is the fault of the wife (aib khatyndan bulsa), i.e., for infidelity, a bad tongue, etc., then her relatives do not accept her, even though she runs away to them twenty times, and they say: we will not demand vengeance money for you. Then she goes to another more distant relative (baska turkun). Her lover appears there and says: "Your kinswoman has separated from her husband. I will take her and pay all the expenses." The husband takes it to court. The wife does not wish to return to him on any account. Her lover pays 6-7 kara or 30 tillias for the benefit of the husband.

If a lawful wife starts a quarrel with her husband in order to leave him, without any cause from his side, customary law does not permit her to do so. If in spite of this there is no possibility of keeping her with him, the husband is required to give her a letter of divorce, and the wife or a man who wishes to marry her is obliged to return in full the kalym which was received for her.

For killing his wife, the husband pays her relatives (as for mutilation) less than the usual female wergeld according to kinship, as it is said.

For barrenness (bedau, kysyr) a wife is not sent back to her father, but they ask the mullah to read over her, or send her to spend the night at holy places and burn a candle there (mullaga okutady, auliya tunetedi charag yagib). In the poem Shura Batyr is a description of the journey of Marykbai and his wife Gul'kanys, for this reason, to the tomb of a saint, who appears to them and promises a son and a daughter.

After repeating the words talak (divorce) or talak koydym (I have given a divorce) three times, a divorce is validated according to the Shariat. In addition, a woman who goes away to her father's house, or to the person who married her off is usually considered divorced. She does not take property with her, but /90/ the husband gives her something, for example, one-eighth of his property, if she was not guilty in the divorce.

not guilty in the divorce.

A divorced woman no longer walks covered with a veil, as she formerly.

Former spouses can marry again, even up to three times. The th time a woman can marry her former husband only if she was ried to an outsider after the third marriage. In the Kazalinsk uyezd,

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Misdemeanors	Opinions concerning punishments to be imposed for these acts			
	Sultan Daulet Bushaev, Perovsk uyezd	Bii Kunakbai, Auliye-Ata uyezd.	The Kirgiz bii Kurpetai Dauletkulov.	Bii Sazabai, Kurama uyezd.
Digging holes without warning signs, or destroying these.	Rebuke and medical treatment of those hurt.		Not punished.	Warning that if someone is hurt, the digger will pay.
Slander, false denunciation. (Sukhanchilik	Forfeiture of trust (zhenimsizdik). sizdik).	Not punished.	Not punished.	Formerly a whipping. (durra). Now a 3 ruble fine. ruble fine.
Not giving help when seeing theft or brigandage.	Reprimand		Not punished.	Not punished.
Not reporting the commission of a crime.		Not punished.		

(Table continues).

4:Grodekov--121 E-5 (ca 1885) 1889 KQZ Kazak KQZ

4:Grodekov--129 E-5 (ca 1885) 1889 RQ2 Kazak RQ2

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Misdemeanors	Opinions concerning punishments to be imposed for these acts			
	Sultan Daulet Bushaev, Perovsk uyezd	Bii Kunakbai, Auliye-Ata uyezd.	The Kirgiz bii Kurpetai Dauletkulov.	Bii Sazabai Kurama uyezd.
Not giving kunakasy.		Not punished.	Not punished.	In case of death, wergeld is paid for a person, and the value for a horse.
Affront and insult of kinsmen.	Corporeal punishment, depending on the desire of the kinsman.	Affronts and light blows administered to kinsmen, and strangers, even tiuri, is not punished.		They are pacified and warned against repetition.
False witness.	Forfeiture of trust and the remuneration for damages.	Not punished.	Not punished.	A fine of 3 rubles.

(Table continues).

Misdemeanors

	Opinions concerning punishments to be imposed for these acts			
	Sultan Daulet Bushaev, Petrovsk uyezd.	Bii Kunakbai, Auliye-Ata uyezd.	The Kirgiz bii Kurpetai Dauletkulov.	Bii Sazabai, Kurama uyezd.
Attempt to murder.	Three nines (tyuya-at-siir-bastagan toguz).	According to bii Sultan, "ayb for the knife", i.e., an attempt to murder (pshak ayby) costs 1-2 nines.		
/153/ Attempt at theft or brigandage.	Atton	In the opinion of Uymaut and others of the Chimkent uyezd, it is not punished. Sazabai agrees. According to Umurbek and others, there is pardon or a fine no greater than an atton.		
Fire resulting from carelessness.	Payment of damages.			Payment of damages (tuleuin beredi).
Setting a fire maliciously.	Payment of damages, with addition of fine or prison.			Payment of damages with fine of 50 rubles.

(Table continues).

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685 the stealing of sheep is more severely prosecuted (sheep are watched less carefully than other livestock), namely, a fine of one toguz is imposed for the theft of one or several sheep, in addition to the return of the stolen animals. It was stated in the Geographic Society's outline for the collection of folk juridical customs (p. 31) that a larger reimbursement was demanded among the Kazakhs for the theft of sheep because a high value was placed on them for their numerous offspring. It will be seen below in the chapter on punishments that this custom does not exist in the Turkestan region.

is no special punishment for damage to a wall, a lock, etc., in the process of stealing. Reimbursement for such damage is included in the fine imposed.

The theft of a fettered animal is punished in the same way as the theft of livestock grazing freely.

681 There is no special exaction for the hiding of traces of a crime. An exception to this is hiding the body in a murder (cf. wergeld).

[687] In Makovetskii's book, Pt. I, p. 79, it is said: "Violence during /170/ theft of property, for example, the infliction of wounds, is regarded as a separate crime and there is special punishment for the theft of the goods and the infliction of wounds." The biis Sultan Kanaev and Khalmahammed find that violence and theft are judged without division. A fine is exacted as for an ordinary theft, and only expenses for the healing of the wounds are added. If there were blows without wounds, then nothing is added to the fine for the theft. The proverb: "You cannot skin two hides from one sheep" (bir koydan eki teri soymaydy) is relevant here, i. e., two punishments are not imposed on one criminal. Only an inexperienced bii can impose two fines (bil'mes bii klady eki ayb).

681 683 A criminal who has already been convicted for one and the same crime is punished more strictly. (1) For the second theft they

1. This is the opinion of many, including the Kirgiz Daniyar, and agrees with Zagriazhskii and Samokvasov, but conflicts with the opinion of the Makovetskii collection, Pt. I, p. 65.

require the confiscation of all the property of the thief, with his release on guarantee, or depriving him of liberty. For a third theft he is banished, with the declaration that they refuse to pay and receive wergeld and other exactions for a thief.

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receive wergeld and other exactions for a thief.

Secret driving away of livestock is not called baranta, (2) but

> 2. In the customary laws of the Caucasian mountaineers, p. 366, it is stated: Baranta has several meanings: a) livestock; b) crime, in the sense of ordinary theft, taking away by force, and seizure of a strange object; c) military seizure, driving away or capture of people and livestock; d) punishment, in the sense of stealing and plundering according to the old Russian law, most recently the confiscation of property; e) the seizure of strange property before trial, to ensure the rights of the creditor, also in the case of lack of satisfaction for personal injury, material loss, etc.; f) measures for the assurance of the fulfillment of the court decree. g) the right of the relatives of a murdered man to rustle /"barantovat'"/ the property of the murderer before the carrying out of blood revenge. Finally h) the right of a prince to confiscate property from his subjects.

stealing. Also the word baranta should not necessarily be taken to mean a raid with the purpose of stealing without a special reason for it. For a raid to be able to be called baranta (barymta), it is necessary 1) to make the departure by day and not by night; 2) to have the raid openly announced as baranta; 3) for the raid to be aimed at obtaining satisfaction for some sort of loss, theft, murder, kidnapping of a bride or wife, offense, etc. (3) /171/ Baranta also takes place when

> 3. In the report on the revision of the Kazalinsk uyezd (Prikaz po voennonarodnomu upravleniiu Syr-Dar'inskoi oblasti / Order for the military-national administration of the Syr-Darya oblast/ of July 30, 1886) an example is entered from the books /171/ of the extraordinary session: the Kazakh widow Manteke Sundetova complained that the Kazakh Ismailov had taken her daughter by baranta /zabarantoval/ and that she had spent 100 rubles to hire people to pursue the kidnapper, and she asked that the defendant be required to pay 1280 rubles for the defamation.

the defendant does not permit the requirement of the bii to be exacted from him.

According to bii Kunakbay, baranta does not take place for only one offense, or for the rape of a bride without taking her away, etc., when no losses (chygyn) resulted because of this offense, etc.

before an exact knowledge of customary law, especially since now every bii has his own devices, which often contradict each other (chatak). 693

The biis used to be judged by other biis or clan heads, but now they are tried on the common basis.

Bad language, yelling and scuffling in court is prosecuted by the biis. No prosecution is made for infliction of wounds in court if the wounded person was guilty, but if the guilty person causes the wounds, he is liable to the payment of the same fine which is imposed for the same crime committed outside the court. [687] 683

The punishment is not made heavier for murder and fighting before the court.

If someone dishonors the bii in words, they rebuke him saying: "Your tongue touched upon the bii" (biige tiling tiidi), and he is forced to ask forgiveness, but no fine is imposed; the more so because the bii hesitates to enter a suit concerning this. 693 683

/180/ The wergeld is not changed for the murder of a bii, but a larger fine is imposed for wounding him than for wounding a private individual. There is no prosecution for blows inflicted on a bii, if he owed money, but for unjust blows a fine is imposed which is higher than the usual one. For the exaction of these higher fines it is necessary 1) that the act be proven, and 2) that the person guilty of injuring the bii should be from the district /okrug/ of that bii. The injury of a bii from a strange village is prosecuted in the same way as the injury of an ordinary person.

The word mekhkeme, i.e., tribunal or court chamber, was not used in former times. This is now the name for the place or tent designated by the bii for the admission and examination of complaints in the Perovsk and Auliye-Ata uyezds. The biis sit on felt (tekemet), in the place of honor in the tent or room - the "tur", which is opposite the entrance, and before them on the ground are the plaintiff, the defendant and other persons who have been called in. In general, however, the examination of cases takes place anywhere and at any convenient opportunity. The court is where they find the bii, be this in the road, on a visit, or at a bazaar. The most precious convenience to the nomads lies in this simplicity of the conditions of a court. An experienced bii has his book of decisions and his seal with him in all places at all times. 695

The bii first hears and enters into his book the complaint of the plaintiff (dagvager), and then gives the floor to the defendant (dzhuabger tanbys) or to the witnesses. All those called to the court

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defendant to be found, even if he has concealed himself under the ground (yerge kerib kitse de taptyramyn). But he needs remuneration for this. The plaintiff gives him something. Then the volost sends someone to tell the defendant on the sly that he should come but not to be afraid. After this the case is transferred to the bii.

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After the litigants have presented a documnet with the choice of several biis, the volost official designates the place and time for their court appearance, warning the plaintiff that if he does not appear his suit will be refused, and the defendant that he will be considered convicted for non-appearance. But in spite of this, when the defendant does not appear, the case is not decided in his absence, but they send once again to his place of abode, and only if he /188/ flees from there can the volost official command that the judgment be made in his absence. Sometimes the defendant submits a complaint after all this for the biis' judgment by default. Then the biis are required to swear that he was summoned twice (Torgai).

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In the opinion of Torgai, article 35 in Samokvasov: "If someone is sent after a person, and the envoy is beaten and receives wounds on the face, then the latter must make the same marks on the former in return" etc., is probably founded on the orders of some individual powerful volost official. Although on the other hand the Kazakhs have a proverb: A stick is rewarded by a stick (tayakka tayak kaytady), i.e., an eye for an eye and a tooth for a tooth.

If a rider was sent by a volost official but not on the basis of an order from the uyezd chief, then there is no prosecution for signs (tamga) on his face from blows. At any rate, when there are no witnesses, and the "tamga" /brand/ is only on the rider and not on the owner of the tent, then it depends on the state in which the rider emerged. /v tom, budto prikhodil dzhigit/. The affair ends with the words: "Come out and make peace" (dalaga chygyngiz yarasyngiz), for no oath is imposed for this. (1)

1. It may happen that the rider collects people for some sort of general suit and encounters resistance in this and receives blows with signs on his face or on his body. Then the people, who want to get around the rider, give him something, but not by customary law but voluntarily, for example a horse and a coat. They ask him not to lodge a complaint, saying: "Even if your head is cut, it is under your cap, even though your arm is broken it is in a sleeve" (bas yarylsa burk ichinde, kol synsa

694 dzhiing iqhinde). As an excuse they use the saying:
"quarreling and scuffling is a path which has existed
693 since ancient times" (uruspak talaspak burunnan kalgan yul).

Since signs on the face are visible, they set value on the face, and they say to the offender: "you put a brand on my moon-like face" (ayday betime tamga saldyng), i. e., you mutilated my clear face. A wound on the arm for example is not important, unless a bone is broken (Turgai).

694 A rider can beat the person being summoned, in order to force him to go faster. A wound inflicted during this is not prosecuted.

When the volost official delays the summoning of the litigants and the witnesses, and the biis delay the examination of a case, the defendant hastens to declare a suit completely like the suit of the plaintiff (karsy dau, karsyma karsy dau). This is also done at the time of the examination of the case, sometimes /Inserted page. Picture. Caption: A session of the people's court: the plaintiff, bii Akhmet Turgaev, bii Chekaman Iskenev, bii Chokai Turgaev, the defendant. Drawing by Akhmatov. /#189/ also by the witnesses. But the biis avert such a suit. Exceptions to this are suits concerning animals recognized at a bazaar.

695 Mutual suits between quarreling kinsmen remain without consequence because of their extreme complication, or are led to pacification "in view of kinship." When it is impossible either to avert or pacify, then an oath is required from each litigant on his suit (Perovsk uyezd).

According to bii Sultan Kanaev, in mutual suits without witnesses two propitiatory oaths are given: one to the plaintiff himself, and the other to the defendant himself (bas basyna - on the head of each of them), the first on the suit which was declared earliest, the second on the cross bill. A biilyk is taken for each of these suits, but only when the suit is made good. Otherwise the biis limit themselves to collecting for the affixing of their seals (mukhrane).

If a part of a suit is shown to be just, it still does not follow from this that the entire suit is just. The part of the suit which is subject to suspicion must be approached as though it were a special suit.

The combination of crimes is not taken into consideration. Every crime is judged separately.

If a suit touches upon two objects which are usually not found in one place, the suit is divided (biis' books of the Perovsk uyezd).

* [Not reproduced --AJ]

681 (kara nar), covered by a rug, and to pay a fine of from one to three
682 toguz, counting here also the camel with the rug. A bactrian camel can be given in place of the dromedary, and even only a horse. (Torgai).

Usually influential persons, aksakals, volost officials, etc. appear as trusted figures from the clan of the murdered person before the sessions of the biis, and they count out a considerable share of the wergeld obtained for themselves, under the name of travel and other expenses (Perovsk and Auliye-Ata uyezd).

Among the Kirgiz the wergeld is equal to 660 tillias. The receiver of the wergeld and his relatives to the third degree inclusive receive 300 tillias. He divides the remaining 300 tillias among the biis and other eminent persons, who are not related to him, because he fears their ill will "and they are used to receiving." The remaining 60 tillias go for the biilyk and various expenses. (Reported by bii Daniyar).

Everyone who has wounded or injured another is obliged, in addition to the exaction imposed by the court, to heal the injured person at his expense and to slaughter a ram to feed him. The doctor (taub) dresses the wound with the skin of this ram, and hits him on the wound with light blows, which constitutes a good sign (irim). For wounds and injuries which were unpremeditated or received in a dispute, only the healing and nursing must be paid. If the wounded person dies, /240/ a fine is exacted for the expenses of burial and memorial services, called "related wergeld" (karindas khun).

681 Wergeld is exacted in the following amounts for bodily
683 injuries:

Among the Kazakhs	Among the Kirgiz, reported by Kurpetai Dauletkulov.
For a light wound by a knife - from atton to at bastagan toguz.	10-15 rubles.
For a heavy wound, but not mortal - tyuya bastagan toguz. According to Umurbek, the biis are not supposed to examine the case until the safety of the patient's position is cleared up.	Compensation for the cost of the sacrificial offering (sadaka), made by the relatives for recovery.
For a wound resulting in death - full wergeld.	Full wergeld.

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Among the Kazakhs	Among the Kirgiz, reported by Kurpetai Dauletkulov.
If an agreement (bitim) was made for a certain sum because of a wound which seemed light, and it was entered into a document, and then the injured person died, the agreement is invalid and a suit is opened for full wergeld.	
For fighting with injury to a leg or arm, such that they cannot move about freely, no more than 100 rubles.	30-40 rubles. The Kirgiz call such an injury dzhansirek.
For a wound of the head (bas aryisa) - atton	/no entry/
For a wound of an arm or leg, with the loss of its use - 400 rubles.	Up to 300 rubles.
For the loss of both arms or both legs - full wergeld.	200 rubles.
/241/ For premeditated blinding of an eye - half the wergeld(1) and if it is the victim's only eye - full wergeld. According to Absalyamov, for blinding one or both eyes - 50 horses and 50 rams or 330 tillias.	six members (alty san): 2 eyes plus 2 arms plus 2 legs equals 600 tillias equals one wergeld. Each of these members 100 rubles.
For the injury of an eye, from 200 to 300 rubles (Perovsk uyezd).	/No entry/
For biting of the arm, 25 rubles (books of the Auliye-Ata uyezd). According to Absalyamov, for mutilation of an arm or leg, as well as for the loss of these members 165 tillias.	

1. At the session of the biis of the Chimkent and Turkestan uyezds in September, 1877, wergeld for a man's eye was established at 1000 rubles, and for a woman's eye at 500 rubles.

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Among the Kazakhs	Among the Kirgiz, reported by Kurpetai Dauletkulov.
For a finger cut off - one-tenth of the wergeld (Perovsk uyezd). According to Sagyndykov, also one-tenth of the wergeld, or 200 rubles, while for one joint-one-third of this sum, i. e., 66 rubles, 66 1/2 kopeks. Only for the joint of the thumb it is one-tenth of the wergeld = 200 rubles. This is because the thumb has only two joints, and the other fingers have three.	
For making crooked and for injury: 1) to the thumb - tyuya bastagan toguz (Perovsk and Auliye-Ata uyezds);	1) 30 rubles.
2) to the index finger - 2 attons, and according to Kunakbai - at bastagan toguz; 3) to the other fingers - for each, an atton or attay (Perovsk and Auliye-Ata uyezds). According to Umurbek, it is the same for all fingers - tyuya bastagan toguz.	2) 5-10 rubles.
For knocking out a tooth, according to Sagyndykov, one-twentieth of the wergeld is paid, i. e., 100 rubles. /242/ If all the teeth are knocked out - the full wergeld. For each of the four upper and four lower front teeth (kurektis) at bastagan toguz is paid (Sultan Daulet Bushaev); Umurbek reports that an atton, or a horse, or only 8-9 rubles are paid; according to Kunakbai, an atton is paid; According to Khudaykul, 25 rubles apiece; in the Kurama uyezd, for the front tooth of an old man, 17 tillias are paid. In the bii's books of the Chimkent uyezd, 20 tillias are paid for one front tooth.	If the tooth /242/ is broken in half by the blow - 20-25 rubles. If an old man's tooth is broken by a blow - 4-5 rubles are paid.

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Among the Kazakhs	Among the Kirgiz 683 reported by Kurpetai Dauletkulov.
For eye teeth (akyl tis), according to Kunakbai, the same is paid as for front teeth.	The plaintiff must show a swelling of the gum (erin) to prove that the tooth was knocked out and did not fall out for another reason.
For each of the eye teeth and back teeth according to Sultan Daulet Bushaev an atton is paid or 50 rubles, according to Khudaykul - 10 tillias.	
For back teeth; according to Kunakbai, an atton is paid or nothing.	
For pulling out a piece of the beard - atton and an apology.	Nothing.
For cutting off the whole beard with a knife - at bastagan toguz, according to Sultan Daulet Bushaev;	Nothing.
According to Umurbek, it is impossible to define it exactly, but less than for the loss of the nose, because a beard grows back.	
For injury of the ear or the nose - from tyuya bastagan toguz to three toguz, according to Sultan Daulet Bushaev according to Umurbek, 100-400 rubles, but less for an ear at any rate.	The loss of an ear (chunak - earless) is 20-30 rubles.
/243/ For a man's loss of one ear or both, or of the nose, 50 tillias, according to Absalyamov.	/No entry/
For loss of the genital organ - full wergeld.	Not recorded.

681 According to the report of Mullah Shanchi Chinybekov, the wergeld for the putting out of one eye in a man is determined as
683 50 mares, and for the putting out of both eyes at 100 mares. If an oath is imposed, it is required of one person in the case of one eye, and of two persons, in the case of both eyes. Otherwise the customary wergeld is: for one ear - 1 camel and 9 heads of livestock; for 2 ears - 2 camels and 18 heads of livestock; for a nose - 1 camel and 9 heads of livestock; for a tooth - 1 horse and 9 heads of livestock; for breaking or mutilating one arm or leg - 25 mares; the same of both arms and legs - 50 mares; for the mutilation of the genital organ - 100 mares, and if an oath is given, it falls upon two persons from the clan of the defendant. For the same mutilation of a woman, half this amount is paid.

According to Sagyndykov, if someone cuts off someone's tongue, or hits him with such cruel blows with a stick that the victim loses the ability to speak, or loses his reason, or else if he cuts off the nose or removes skin from a place where hair grows, namely, on the chin, the guilty person pays full wergeld.

681 Abortion , as well as miscarriage resulting from the blows of the husband, remains unpunished.

682 For miscarriage resulting from the will of an outside man, a fine is paid depending on the form, sex and size of the fetus, ranging from several camels to half the wergeld. If the fetus remained alive for some time, even wergeld is paid.

Half as much is paid for a fetus of female sex as for one of male sex.

If a betrothed girl who is pregnant from her legal bridegroom performs an abortion because of shame in front of her father and the people, the bridegroom, if he discovers it, can bring both the bride and the men and women who also took part in the abortion to strict accounting before the people's court, which takes the side of the groom (Kazalinsk uyezd).

/244/ If someone strikes a pregnant woman and stillbirth results from it, the guilty person pays 100 rubles as wergeld, and if the woman herself dies from the blows, which must be proved, the guilty person pays the full wergeld for a woman. But if a woman gives premature birth to a living child, as a result of blows of a stick, and the child dies only later, the full wergeld must be paid for the dead infant, if it is fully proven that the premature birth and the death of the newborn child were the result of the blows. Here the wergeld is paid depending on the sex of the infant. (Reported by Sagyndykov).

[220 cont.]
[648] [662] open disobedience. Nurali's declarations and his oft repeated requests to use reprisals on the borders by seizing bandits or their kinsmen were more sincere than was believed at the beginning, and later they were taken into consideration. They were also confirmed by the opinion of Tevkelev, who had had experience in relations with the Asiatics, as well as the replies of several sultans who had been requested, like the Khan, with no success over [221] several years, to give up their Russian prisoners. [721] There were also the examples of Khiva, the land of Bukhara, and other powerful states who regarded reprisals (baranta) as indispensable in order to restrain a nomadic people.

Convinced by its experience and seeing that indulgent patience was far from lessening the temerity of the Kazaks, but [683] [685] indeed increased it, the Russian government finally decided to behave toward this people in the same manner as did all their other neighbors. Thus the border authorities were given orders (1)

1. Ukase of the Ministry of Foreign Affairs of November 27, 1749.

that in case of theft or the carrying off of persons they should require the Khan to release at once what was missing, and if he refused satisfaction or advised that reprisals be taken, they should [681] take advantage of the first favorable opportunity to seize one of the kinsmen of the guilty person, or even any individual of his tribe (assuming that the guilty person himself did not show himself to the Russians again), and to hold this person under careful guard until the prisoner or the stolen objects should be returned.

This measure was not in harmony with the principles of equity customary among civilized peoples, but it was indispensable with the nomad brigands.

During this same period, in order to oblige Nurali to carry out the requests of the Russian government and to furnish him means of paying for the services his subjects rendered to Russia without injury to himself, he was assigned an annual stipend. [731] At the same time a rule was set to send various gifts of fixed amounts in the name of the border government. But it was